

JORGE GARCIA, Individually and on behalf
of the Estate of ABRAHAM GARCIA,
deceased, LUIS ROGELIO PUENTE
MARTELL, Individually and on behalf of the
Estate of LUIS ROGELIO PUENTE
VILLELA, deceased, OLIVIA MIRIAM
VILLELA ORTIZ, Individually, and
DANIELLA BARAJAS Individually and on
behalf of the Estate of AURELIANO
BARAJAS, ANTONIO BARAJAS,
Individually
Plaintiffs,

JEANETTA IZELA GARCIA FASSION,
INDIVIDUALLY AND AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF
AURELIANO BARAJAS, DECEASED,
AND AS NEXT FRIEND OF AURELIANO
BARAJAS GARCIA, A MINOR,
INDIVIDUALLY, AND ANDRES
BARAJAS GARCIA, A MINOR,
INDIVIDUALLY,
Intervenors,

v.

LYCOMING ENGINES, A DIVISION OF
AVCO CORPORATION, AND AVCO
CORPORATION; TEXTRON AVIATION,
INC., CESSNA AIRCRAFT COMPANY;
MCCREERY AVIATION COMPANY
INC.; AVIATION MANUFACTURING
COMPANY, INC. AND INTERSTATE
SOUTHWEST LTD.
Defendants.

IN THE DISTRICT COURT OF

HIDALGO COUNTY, TEXAS

93rd JUDICIAL DISTRICT

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Defendants, Avco Corporation¹ and Textron Aviation Inc.² file this notice of removal. Please take notice that Defendants have, pursuant to federal law, filed with the clerk of the United States Court for the Southern District of Texas, McAllen Division, a Notice of Removal, a copy of which is attached as Exhibit “A” and filed with this document, and that this action is removed to United States District Court for trial as of today, March 22, 2023. The case is stayed and the Court is respectfully requested to proceed no further in this action, unless and until such time as the action may be remanded by order of the United States District Court.

Respectfully submitted,

MCGLINCHEY STAFFORD

By: /s/ Brian M. LeCompte

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¹ Avco Corporation files this Motion on behalf of itself and Lycoming Engines. Lycoming Engines is an unincorporated division of Avco, and is not a separate legal entity capable of being separately sued.

² Textron Aviation Inc. files this Motion on behalf of itself and Cessna Aircraft Company. Cessna Aircraft Company has been merged into Textron Aviation Inc.

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ENGINES DIVISION***

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***COUNSEL FOR DEFENDANTS TEXTRON
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COMPANY***

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***COUNSEL FOR DEFENDANTS AVCO
CORPORATION AND ITS LYCOMING
ENGINES DIVISION, TEXTRON AVIATION,
INC., AND CESSNA AIRCRAFT COMPANY***

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing was served upon all counsel of record in accordance with the Texas Rules of Civil Procedure on March 22, 2023.

/s/ Gil P. Peralez
Gil P. Peralez

EXHIBIT A**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Iliana Whatley on behalf of Gil Peralez
 Bar No. 00791426
 igw@peralezfranzlaw.com
 Envelope ID: 73904046
 Filing Code Description: Notice
 Filing Description: Notice of Removal
 Status as of 3/22/2023 1:17 PM CST

Associated Case Party: Jorge Garcia

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Shiree DSalinas		ssalinas@ssalinaslaw.com	3/22/2023 1:04:19 PM	SENT
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EXHIBIT A

Automated Certificate of eService

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igw@peralezfranzlaw.com
Envelope ID: 73904046
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Associated Case Party: Jorge Garcia

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Associated Case Party: Daniella Barajas

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Associated Case Party: Lycoming Corporation

Name	BarNumber	Email	TimestampSubmitted	Status
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Associated Case Party: Lycoming Corporation

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Joel Dark		jdark@mcglinchey.com	3/22/2023 1:04:19 PM	SENT

Associated Case Party: Cessna Aircraft Company

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Associated Case Party: JEANETTA BARAJAS GARCIA FASSIO as Personal Representative of the Estate of Aureliano Barajas, Deceased

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Associated Case Party: JEANETTA BARAJAS GARCIA FASSIO as Personal Representative of the Estate of Aureliano Barajas, Deceased

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Associated Case Party: Aureliano Barajas Garcia

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Associated Case Party: AVCO CORPORATION

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Associated Case Party: Textron Aviation, Inc.

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